

Introduction to Wetlands Permitting In Miami-Dade County

**Miami-Dade County DERM Wetlands Advisory Task
Force Initial Meeting**

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Wetlands Protection and Regulation

- **Federal, State and County Authority**
- **Programs are complementary**
- **County has independent Home Rule authority**
- **Detailed Local Knowledge of important issues**

Complementary or Duplicative?

Summary of Federal, State, and Local Responsibilities for Wetlands and Other Surface Waters

Task	Federal	State	County
Endangered Species	x		
Migratory Birds	x		
Consistency with Rivers and Harbors Act	x		
State Water Quality Certification		x	
Beaches and Shores Review		x	
Sovereign Submerged Land Ownership		x	
Regional Cumulative Impact Analysis		x	
Coastal Zone Management Act		x	
Clean Fill			x
Wellfield Protection			x
CDMP Consistency			x
Zoning Consistency			x
Shoreline Development Review Consistency			x
Preservation of Coastal Wetlands			x
Building Code and Permit Consistency			x
Public Works Manual Consistency			x
Local Water Quality Standards			x
Review for County Flood Criteria			x
<i>Delineation of Wetlands*</i>	x	x	x
<i>Mitigation analysis*</i>	x	x	x
*Wetland delineation and the method for determining mitigation is set by state law			
Agencies coordinate closely to prevent duplication of effort on these tasks.			

Chapter 373.019, Florida Statutes, Defines Wetlands...

“Areas inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils.”

In essence, would wetland vegetation grow if the site was left untouched?

Wetland Definition also includes:

- **Classes of soils typically found in wetlands**
- **Types of vegetative adaptations typically observed**
- **Typical wetlands land cover types**

Chapter 373.421 F.S.,

- Required adoption of a uniform statewide methodology for delineation of wetlands**
- FDEP established methodology under 62-340, F.A.C.**
- Binding on the FDEP, WMDs and local governments.**

Chapter 373.414 F.S.,

- **Required adoption of a uniform mitigation assessment method for use statewide**
- **FDEP established methodology under 62-345, F.A.C.**
- **Binding on the FDEP, WMDs and local governments.**

UMAM

A standardized procedure for determining:

- **Functional values of wetlands areas where impacts are proposed**
- **Functional loss that will occur as a result of the proposed impacts**
- **Mitigation to be required to offset the functional loss as a result of the proposed impacts**

DERM Authority:

- **Chapter 24 of the Miami-Dade County Code**
 - **Establishes DERM's authority, responsibilities, procedures**
 - **Requires permits for all work in wetlands**
- **Fee schedule adopted by BCC resolution as part of budget process**

Chapter 24 Appeals

- Chapter 24-8 establishes the Environmental Quality Control Board (EQCB)
- Five (5) members appointed by the BCC
- Hears appeals, variance requests and requests for extensions of time to comply with provisions of Chapter 24
- EQCB decisions may be reviewed under Florida Rules of Appellate Procedure

DERM Outreach:

- **Wetlands letter to realtors and brokers (2006)**
- **“Wetlands Permitting” brochures (2008)**
- **DERM’s Website**
- **County’s “Environmental Considerations” GIS Tool**
- **Attendance at public meetings (i.e. APAB, workshops, town halls, etc.)**